

DATE

DeMarkus Hill
153 Dodie Lane
Monroe, Louisiana 71202

Re: **Louisiana Board of Ethics**
Docket No. 2021-700

Dear Mr. Hill,

The Louisiana Board of Ethics, at its meeting on September 3, 2021, considered your request for an advisory opinion as to whether the Code of Governmental Ethics ("Code") would prohibit you from being employed by the Louisiana Human Resources Development Institute following your resignation from the Louisiana Workforce Commission.

FACTS PROVIDED

You are currently employed by the Louisiana Workforce Commission ("LWC") as a Workforce Development Specialist in the American Job Center in Ouachita Parish. Your duties include working as a case manager by assisting individuals with completing their unemployment applications and answering questions regarding the unemployment benefits received through the Wagner Peyser Act. You work exclusively in the Ouachita Parish American Job Center.

The Louisiana Human Resources Development Institute ("Institute") is a private, non-profit organization established to operate a worker assistance program that is funded exclusively through federal Dept. of Labor grants which flow through LWC. The Institute's goal is to assist workers dislocated by mass layoffs, facility closures, and disasters in securing and retaining employment as quickly as possible. You seek to obtain a position as a Mobile Workforce Center Specialist with the Institute. Your job duties would include serving as a public relations representative at community fairs, festivals, schools, and other related events. You would be required to set up computers, wireless accessories, televisions, and printers; assist mass layoff customers by creating accounts, posting resumes, and applying for jobs online; provide disaster relief assistance with FEMA applications; and assist job applicants at employer job fairs with applications and pre-employment skills assessments. You would be based out of Baton Rouge.

You stated that you would not assist any of the same individuals for the Institute that you assisted while employed by LWC, and that you would not be rendering any services back to your former agency, the LWC American Job Center in Ouachita Parish.

LAW

La. R.S. 42:1121B(1):

No former public employee shall, for a period of two years following the termination of his public employment, assist another person, for compensation, in a transaction, or in an appearance in connection with a transaction in which such former public employee participated at any time during his public employment and involving the governmental entity by which he was formerly employed, or for a period of two years following termination of his public employment, render, any service which such former public employee had rendered to the agency during the term of his public employment on a contractual basis, regardless of the parties to the contract, to, for, or on behalf of the agency with which he was formerly employed.

CONCLUSION

The Board concluded, and instructed me to inform you, that the Code would not prohibit you from being employed as a Mobile Workforce Specialist with the Institute, since you would not be participating in the same transactions in which you participated while employed by LWC, and you would not be rendering the same services to your former agency, LWC American Job Center in Ouachita Parish.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. Please note that the Board issues no opinion as to past conduct and that the Board's expressed opinion is limited to an examination of the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions in the gaming laws.

If you have any questions, please contact me at (800)842-6630 or (225)219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

David M. Bordelon
For the Board